

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

AMENDED CHIEF HEARING OFFICER DIRECTIVE

DOCKET NO. 2021-143-E and 2021-144-E ORDER NO. 2021-107-H

JULY 26, 2021

CHIEF HEARING OFFICER: David Butler

DOCKET DESCRIPTION:

Application of Duke Energy Progress, LLC (“DEP”) for Approval of Smart \$aver Solar as Energy Efficiency Program

Application of Duke Energy Carolinas, LLC (“DEC”) for Approval of Smart \$aver Solar as Energy Efficiency Program

MATTER UNDER CONSIDERATION:

Petitions to Intervene of the Solar Energy Industries Association in both Dockets.

CHIEF HEARING OFFICER’S ACTION:

This matter comes before the Chief Hearing Officer on the Petitions to Intervene of the Solar Energy Industries Association (“SEIA”) in these two Dockets. The Petitions are timely filed, and no objections to the interventions have been filed.

These Dockets were opened for the purpose of examining Petitions for approval of Smart \$aver Solar Energy Efficiency Programs for DEC and DEP, so that such programs could potentially be included in the Companies’ suites of energy efficiency and demand side management programs. The Programs are designed to reduce energy consumption by incentivizing the installation of rooftop solar at residential households. Specifically, the Program gives the customers the option to earn an upfront incentive for installing rooftop solar if they also enroll in the winter-focused Power Manager Load Control Service Rider, known as Bring Your Own Thermostat (“Winter BYOT Program”). This program provides for winter-focused demand response and was previously approved for both DEP and DEC in Order No. 2020-830.

After it has been determined that the Petition has been timely filed, the next question for the Commission is to determine whether or not the petitioning party or parties have clear factual support or grounds for the proposed intervention. S.C. Regs. 103-825A(3) requires that parties filing a Petition to Intervene in a matter pending before the SC Public Service Commission must:

set forth clearly and concisely:

- (a) The facts from which the nature of the petitioner's alleged right or interest can be determined;**
- (b) The grounds of the proposed intervention;**

(c) The position of the petitioner in the proceeding.

SEIA asserts that it is the national trade association of the U.S. solar energy industry, which now employs more than 260,000 Americans. SEIA represents organizations that promote, manufacture, install and support the development of solar energy. SEIA states that it works with its 1,000 member companies and other strategic partners to fight for policies that create jobs in every community and shape fair market rules that promote competition and the growth of reliable, low-cost solar power. Since 1974, SEIA notes that it has been a driving force behind solar energy and energy storage technology and building a strong solar industry to power America consistent with its mission to work towards a transformed energy supply and delivery system, such that solar electric and thermal technologies, in collaboration with other clean, reliable, affordable renewable resources and storage, fuel this country's economy.

Consistent with its mission, SEIA states that it engages in advocacy and education to foster solar development by expanding markets, removing market barriers, and educating the public on the benefits of solar energy. SEIA actively participates in state public utility commission proceedings, testifies before state legislative bodies, and hosts seminars and events on solar policy issues.

SEIA's membership, according to SEIA, includes many national solar companies that own and operate projects in South Carolina who have local employees as well as companies that list a specific operating address in South Carolina. SEIA's members, including our members in South Carolina, are engaged in manufacturing solar photovoltaic equipment, developing solar photovoltaic projects, providing solar energy equipment, services and expertise to retail, commercial and industrial customers. SEIA notes that its member companies develop, construct, own, operate, finance, and otherwise service solar generating facilities across the state. SEIA also notes that its members are planning to develop, construct, own, operate, and otherwise service future solar projects in South Carolina, the success of which would rely on the result of this proceeding. According to SEIA, its members in South Carolina directly employ over 3,000 people and have invested collectively over \$2.3 billion in the state. SEIA asserts that its members' businesses will be directly impacted if more customers are incentivized under the Program to install rooftop solar. As a result, SEIA concludes that it will be substantially and specifically affected by the result of this proceeding

From these facts, this Hearing Officer holds that SEIA has successfully satisfied the three criteria for intervention stated in the Regulation. SEIA's interest in these matters can clearly be discerned, as can the grounds for the intervention, and its position in both Dockets.

Further, the Petitions to Intervene were timely filed and there are no objections to the interventions. Accordingly, the Petitions to Intervene of the Solar Energy Industries Association are hereby granted in both Dockets. This ends the Chief Hearing Officer's Directive.